PIRST MEADING IN THE NEW QUARTERS OF THE PED-EEAL COURT.

(From Thursday's Advertiser.)

as it may affect future legislation in congress, was the first case to come before the United States district court since it moved to its new quarters in the block adjaining the Japanese consulate, corner Port street and Beretania avenue. This case, which came up yesterday at two o'clock before Jodge Charles F. Clemons, was the

Judge Clemons reserved his decision and intimated that if the attorneys-District Attorney R. W. Breekson for the United States and J. Lightfoot for the Japanese-wished to present any further authorities he would be pleased to consider them. He adjourned court until Saturday morning at ten o'clock, when it is expected he will hand down his decision.

Important Questions.

Attorney Lightfoot, for the petitioner, raised questions as to the jurisdietion of the court and whether the actual crime for which Suckiem Tsuli was convicted here could be taken into consideration.

District Attorney Breckons, in his address, dwelt upon the great endeavors which Congress has made to enact laws which will keep out of the country persons convicted of the despicable offense to which the Japanese confess ed when indicted some years ago. His remarks lend to the inference that the ease will be carried to the United States Supreme Court, if necessary, and may lead to further amendment of the laws governing aliens who reto their native country.

Suckiehl Tsuji, who was in court in the custody of one of Inspector Brown's men, slewed so little interest in the proceedings that he slept for part of the afternoon but the vigorous tones in which the district atterney spoke of him appeared to rouse him though he probably did not understand what Mr. Breckons was saying. This was lucky for him as the district attorney placed him among a class "the most despicable on the face of the

Do Acts Apply?

Attorney Lightfoot argued that the immigration acts do not apply to one who has been once admitted to the United States and has temporarily departed with the intention of returning. Therefore he maintained that his client could not be treated as an immigrant and as it was only immigrants to whom the "undesirable" clauses applied his client could not be placed as among the excluded class.

He stated that the petition for the writ of babeas corpus sets forth that the Japanese came to the Territory and was duly admitted in 1906 and upon established his domicile here. In 1910 he left on a visit to Japan with the intention of returning to his domi-cile, and arrived here in June last. He was prevented from landing and ordered deported. The reason for this action, as stated in a return presented to the court by Inspector Brown, was of an offense involving moral turpitude, under section two of the immigration laws of July, 1907.

Jurisdiction Questioned.

"There are two questions involved in this case," said Mr. Lightfoot, ation, culminating in a treaty designed. "The first is as to the jurisdiction of the see what could be done by the nather federal courts to entertain an aptitions in concerted action. He told of plication of this nature in habeas corpus when the requirements of the law have been complied with by the immigration authorities, the findings of those au-thorities being adverse to the immi-grant and his deportation ordered, and face of the earth." no appeal having been taken to the secretary of commerce and labor, as provided by law.

"The second question is as to the right of an alien to land after he has once established his domicile in the United States, our contention being that when an alien has once established his domicile and has been lawfully admitted to the United States, that then he may leave the United States temporarily, providing he does not abandon his domicile and providing he leaves the United States with the intention of returning; that in such case he does not come within the provisions of the immigration laws and regulations of July, 1907, or any other immigration law. In other words he is, in effect, what is classified as a non-inhuigrant alien and therefore the provisions of section two of the act, excluding extain undesirable persons, including criminals, do not apply to him.

within the excluding clause, in fact he came, the immigration laws do not apply to Attorne

The attorney quoted statistical rule as alies impligrant. He contended the eight which says that alies residents Japanese was a non-immigrant alies returning from a temporary trip abroad and as such was cutified to his disshall be classed as non-immgrant alieas, charge

DECREE STONED BY JUDGE -

Attorney Lorris Andrews, on behalf of Jons Raune Nakits, filed a notice Of no small importance, particularly of appeal vesterday from the judgment of Judge W. J. Robinson in the case a sale of fifty-three acres at Kipshulu, either civil, social or moral." of \$503.50. The last payment of inter-

Suicide's Estate.

A. D. Castro's petition to be appointed administrator of the estate of August P. C. Cerrea, who recently committed adicide, will be heard by Judgo W. J. Robinson, August 28. Corres, who interests which have no respect for committee suicide after winning an nutomobile in the Honolulu Amusement "represented" by The Advertiser, The Company's popularity contest, left only a small estate, of which the automobile "Editor Hilo Tribune.—Allow me Company's popularity contest, left only a small estate, of which the automobile is the largest item of value. In a petition of the widow, Johanne H. Correa, to have A. D. Castro appointed administrator, the value of the estate is given as \$2142.27, consisting as follows:

One automobile, \$1250; stocks, \$96; bank deposits, \$13.02; hills receivable, \$208.25; watch and fob, \$75; policy in Equitable Society of Insurance of Brazil, \$500.

Judge Robinson has not Appear to

Judge Robinson has set August 28 for the hearing of the petition for movement of this country and that of probate of the will of the late Marie the world, has demonstrated to the Sturenbeck.

Divorce Decree Set Aside.

Yesterday Judge Robinson granted the motion of Mary Aki to set aside the decree of divorce made in Frank Aki's suit against her. She filed an affidavit contradicting the affidavits of J. A. Magoon and Harold G. Spencer and further denying that summons was served on her while she was in court

Suit Over Drygoods.

J. J. Byrne has started an action in ed, and rights to be attained, and a the circuit court to recover \$127 and in-high state of civilization to be established. J. J. Byrne has started an action in

minor by order of Judge W. J. Robin-

Judge Robinson yesterday approved the decree as to the custody of Pauline and Thelma Hall, daughters of John W. Hall nad Mrs. Wilhelmins B. Baker.

"If this rule has, as we claim it, force of law, then that disposes of the mut-

ter," he declared. Intent of Congress.

District Attorney Breekons, in his argument for the government, said the decision in the former case which was appealed from here to the District ourt of Appeals of the Ninth Circuit showed that the local court had jurisdiction in these matters.

He referred to the intent of congress in emeting the law of July 1907, with the intention of dealing with such B Buckicki Tsuji fessed himself, to be when indicted here in 1909.

He remarked that in 1907, when congress passed the act, there had been great deal of discussion relative to the evils arising from the improper handling of women. It was not only a subject of discussion in congress but of diplomatic correspondence and negoti-

Another amendment, he pointed out, provided that any alien of this daspicable class, after he shall have entered the United States shall be deemed to be unlawfully here and shall be de-ported. He asked: "Did congress, in anacting this, say that it did not refee to an alien who had gone back home-and intended to return Ao. Perhapa because congress feared that some astate lawyer like Mr. Lightfoot would argue that way, so it took the matter entirely out of the court's hands and said any alien who has been deported and attempts thereafter to return to the United States shall be deemed guilty of a misdemeanor and shall be imprisoned for and feet than two years.

what is classified as a non-injurgrant alien and therefore the provisions of section two of the act. excluding certain undestrable persons, including congress says it does not matter how long a man has been in the United States if he has done the United States if

Attorney Lightfoot elaimed that as him at all."

Attorney Lightfoot proceeded to three months imprisonment for the quote authorities to sestain his content of the content of th that he need not read that part of a spisode. The slate was clean and they deciden of the District Court of Appala nothing more to do with that. He peals of the Ninth Circuit regarding maintained that the matter of the spejarisdiction, thus intimating that the political effence of the political was matter was a competent one for the not before the court. The sale question was an to whether the man was

AIMS AND OBJECTS OF HILO'S SEES CHANGES FOR **NEW LABOR ORGANIZATION**

SUPRIME COURT WILL PAR ON Strugge Against the Specia Interests Which "Respect No Law, Either Civi, Socia or Mora,"

of Judge W. J. Robinson in the case A part of the objects of the Hilo of splift that it is possible to attain of the Kipahulu Sugar Company versus Labor Union is to enter "the field of and "t it does this, I feel outsin when

babean corpus application of Suckiehl Tsuji, a Japaness, who was refused a landing here by Raymond C. Brown, inspector of immigration, because of a conviction for a crime involving moral turning for a crime involving moral turning to find the sugar company to furnishe the sugar company to furnishe the first step in its struggle against the furnishe wicked interests for equal rights. The wicked interests for equal rights. The statement appears in a letter to the commissioner to effect the sale. to recent comments in The Advertiser nationalities against each other, but the heart will beat in one common avowed objects. It is gathered from sympathy when one partion of human-lay is placed at disadvantage. interests which have no respect for

lowing statement to make:
"As a matter of fact, the labor movement of this country and that of world at large that it has built a fighting machine for the working class, but that it seeks no encounter that it can avoid, and it willing to sail on and on in the peaceful waters of industry, simply giving warning to those opposed to it by the very strength of its men and women of toll that, though seek-ing peace with honor, it is unafraid. The labor movement is in its very to prosecute her divorce suit against make up aggressive and progressive. Frank.

Suit Over Drygoods. ment can rest until that wrong is right

claim is for drygoods supplied by the N. B. Sachs Company, which assigned the debt to Byrns. Judge Robinson yesterday issued an order for the attachment of a lot belonging to Welch in Palolo Valley, part of the ill of Kennago. Any one who has been a close kio, containing 15,000 square feet.

M. T. Simonton has been appointed guardian of Marcus R. Monsarrat, a minor by order of Judge W. J. Robins. seens who toll for their living by the sweat of their brows some twenty years ago. Any one who has been a close observer or even has taken the trouble to casually look over the ground, will readily understand the great opposition that has come into the field against labor during the past twenty years.

"In the American trade union movement I have learned the leason of the cryanized wage express of the civiliz-

the organized wage earners of the civilized world, made up, as we are intending to do in this Territory, of the sons and daughters of the men of toil in the various civilized countries. The organized labor believes in the general uplift-ing of humanity to voice its sentiments, to help and to organize in order that their homes and living conditions may be better and also to help to eliminate the conditions that surround them. "Organized labor is striving forward

is entitled to the very highest pinnacles then walked home.

his client. This was a sait for forepolities to struggle for the common that we have done as best we could closure in which the sugar company people for equal rights, and to obtain and all that we could in our humble was represented by Thompson & Wilder some measure of equality from the way to better the conditions for our and in which it obtained an order for special interests who respect no laws, following and our children to come hereafter. The time will come when Mani, to secure payment of \$250 and Such is the statement of David ed labor means. Its purpose is not to interest to the amount of \$253.50, a total Ewaliko, the chairman of the executive build up to use violence or to destroy committee of the recently organized the properties of others, but it is built

to set men and women of different

"The manufacturers, merchants, builders exchanges, boards of commerce, the governors and other kindred organmanufacturers combined themselves into a organization, with the result that they were able as employers to contest every demand made them by the organized labor, and they were also able to overcome them by the great influence which they could bring to their support by the great corporations who were always in sympathy with them, whether they might be involved in a struggle with their employees or not. In that way they were able to make a fight against organized labor, and in that way they jeopardized the interests of the workingmen and in every possible way kept the wages down to the oriental standard.

"It is true that the labor union will enter into the field of politics to struggie for the common people for equal rights, and to obtain some measure of equality from the special interests who respect no laws, either civil, social or

"The serious question which is confroating this Territory of Hawaii at the present time in the Western States is the Asiatic question and that might is the Asiatic question and that might bring in the very near future a commission form of government, if the people of this island do not improve their conditions. I believe The Advertiser will only be too glad to see that, in order that the special interests which it represents might have the appearance in their own hands. the government in their own hands.

"Above all it is the ambition of the organized labor to improve its conditions under which they live. The only hope they have of accomplishing this lies in the common people who carn their daily bread with the sweat of their brown, for since time im-memorial whenever the opportunity was ripe, they have been willing to sacrifice their lives and their all in the cause of liberty and progress. The solution of the labor question lies in the hands of the wage earners and must be solved by their own inherent strength."

Very truly yours.

A Japanese working at the big rail road fill near Henomu for the Hilo Railroad Company, last week tumbled off the brink of the fill and fell head-first for the very highest principles that the brink of the fill and fell head-first exist in every man. It is the belief to the hard ground, thirty feet below. of organized labor that the human race He was stunned for a few minutes and

HONOHINA FILIPINO LOVED HER SO MUCH HE CUT HER RIGHT THUMB OFF

Juan Berenaldo, a Filipino swain of the classic village of Honohina, on the Hamakua const, leved a Filipino maid-thumb, in her struggle receiving five other wounds from the case knife en, with a love that was only limited wielded by her loving assailant.

After she had fought herself free, the extreme care which was taken in drawing up the act and of amendments of 1910. One charge, he said, carried out the idea 'of keeping away from us a class the most despicable on the face of the earth.'

Unlawfully Here.

In expression from the fact that the After she had fought herself free, maiden failed to respond. All the wooding Juan could do clicited nary a responding giggle. The offer of his hand after the affair, however, and he was brought before Judge Wise of Hilo on Monday and committed to the grand Juan seized the maiden of his heart's jury. To the julge, Juan explained souldn't have the girl, he at least know what he was doing.

was turned down cold. Whereupon, Monday and committed to the grand Juan seized the maiden of his heart's jury. To the julge, Juan explained desire, dragged her into the sheltering that he had become so crazed over the cane and cut her thumb off. If he rejection of his love that he did not

EXPRESS RATE

While no official notice has been received as yet by Manager Williams, of the local agency of the Wells Fargo Express Company, about the proposed lower express rates he stated yesterday that they will go into effect on August 1, on the mainland, and will undoubted by be operative here. The new rates will mean a material benefit to the murchants of this city, for they medify the present so-called "graduate" rate. At present, for instance, it costs eighty cents to send a ten-pound package to San Francisco, while from San Francisco to Los Angeles it costs eighty cents more. Under the proposed new rate it will still cost eighty cents to send a package to Ban Francisco, but only \$1.15 instead of \$1.60, to send the same principle will be in force to other shipping points.

(From Thursday's Advertiser.)

While diving for coal off the reof where the barkentine Helgu broke up a year ago, Sam Woods Aiona, Hawaii an, forty-six years of age was selzed with cramps yesterday and died before reaching the bospital. An autopsy in the afterneon showed every organ in his body to have been in a condition almost sufficient to cause death.

Mrs. Frank Mancha was the first to be a package to Ban Francisco, but only \$1.15 instead of \$1.60, to send the same principle will be in force to other shipping points. While no official notice has been reshipping points.

BEST OBTAINABLE.

Your physician can not prescribe a better remedy than Chamberlain's Calic, Cholera and Diarrhoea Bemedy for bowel complaints, and his fee will far exceed the cost of a bottle of this famous medicine. Get it today and be prepared. It never falls to bring relief. For sale by all dealers. Beason, Smith & Co., Ltd., agests for Hawaii.

(From Thursday's Advertiser.)

Herbert, who ordered him to the hospital. The police auto made a record run from town, having been told that the man was dying, but was not Treatment.' It is free,

Alona was born in Kalin, and leaves a wife and two daughters. He has been a fisherman all his life off the Walkiki beach, like his father before him and was considered one of the most expert fisherman on the island.

HILO, July 24 .- That the small farmer here bas lots of good chances for the immigration bureau.

for farming than any other places I ceedingly exercised over it, and it cost have seen in the Islanda so far," said the government stone between \$50,000 and \$60,000, not figuring what it cost for farming than any other places I Starrett today. "The plains at Waimen impress me as being particularly trade and loss of tourist traffic. We suitable for several good products. The lave 378 fatal cases of consumption, soil is loose and mellow, and it should a disease which kills just as dead as produce excellent potatoes and onions. You know, there is a good opportunity for shipping onions to the Coast during the months of February and March, when there are practically none to be his department will do its utmost to had there. We have already arranged fight this disease. Said he:

"The beard has a larger appropriate various places in the Islands, covertion for tuberculosis than it has had

"The one great complaint which I have mot is that there was no market for the stuff which was being raised, but this complaint should be practically government is opening, gets to work. of cases has grown from 249 to 378. The people here should, in many cases, in the year just ended. The figures pay more attention to the seed which are for the whole Territory but the they use. It seems as if they plant any old kind of seed they get hold of, in- in Honolulu."

Ravages of Proumenia. stead of using the very best obtainable. If more attention were paid to the seed used, there is no reason why bigger and better potatoes and onions should not be produced. Furthermore, more attention should be paid to the yellow sweet potato, as for instance, the Yellow Nassumand, which is much in domand on the Coast, while the red sweet potato which you raise so much here, is not liked.

"There is an idea in Hawaii that it will be difficult for the small farmer here, to compete with the farmers of southern California, Texas and Mexico on account of the freight rate. These on account of the freight rate. These places do supply the northern Coast market with early vegetables, but, as a matter of fact they have to pay a freight rate which is far in excess of that paid from Hawali to San Francisco, while the Mexican products have to pay the duty besides. For instance, it costs almost six dollars a ton more to ship stuff from the place where I am in southern California than it costs to ship it from Hawali." to ship it from Hawaii."

Last Tributes.

Customs Inspectors and members of vices, and consequently, there was a of Kahului Mani. Youn large attendance. large attendance.

ASTOURDING PIGURES IN BEGARD TO TUBERCULORIS AND PERUMONIA. . 4/

Bome asteunding figures in regard raising a profitable crop, and, what is to deaths from tuberculosis and passimere important, for finding a good mar- monta in the Territory were furnished ket for his product, is the opinion of to E. A. Mott-Smith, president of the S. T. Starrelt, the expert on fruit and board of health, for innerporation in regetable packing and marketing, who his annual report yesterday. They show, came to the Islands from California to that for the year ended June 30, 1911, look into the possibilities of small no fewer than 483 cases of tuberculcula furming here. Starrett arrived in Hilo were reported and 378 deaths. There during the latter part of last week in company with Dr. Victor S. Clark of ferring to the tubercalosis figures Mr. Mott-Smith said:

"There are many places on this is-condemic. When we had thirty deaths land which are, I think, better suited cholera does and which is more danger-ous than cholera, yet the fact does not cause even a ripple of excitement."

Tuberculosis Victims. President Mott-Smith intends that

Sweet potatoes are another crop campaign which, it is hoped, will which could be profitably raised here, arouse the community out of its leftly and good varieties would sell well from March 1 until July 1, when the market is practically bare.

'Puna district, it seems to me, should be an excellent place for cotton.

'The one great complains

culosis the previous year, so that the increase for the year ended June 30 last is forty-five. From our records it last is forty-five. From our records it is shown that tuberculosis has shown a steady and remarkable increase in eliminated when the bureau which the the Territory From 1900 the number

Ravages of Pneumonia.

In regard to pneumonia the number of deaths for the fiscal year recently ended was 438 as compared with 312 for the year ended June 30, 1910. Last year President Mott-Smith paid particu-lar attention to this subject in his an-nual report to the Governor. He stated that pasumonia has not been a disease common to this Territory and its mark-ed increase during the year is under special investigation and consideration. "There seems to be no good reason

why we should have so much pacumonia in Hawaii," said he. "Probably most of these cases are pneumonia following measles. Honolulu alone had 188 deaths from this cause."

AUMITTED TOWYALE

A recent cablegram brought news that Lowthian Williams and Alfred Young both passed their the Young Men's Institute paid a tribute mission and that they will be admitted to the late William Gallagher, former to Ysle absolutely without conditions member of the customs service, who Both boys are graduates of Punahou died on Wednesday, when they turned where they have been prominent. Young died on Wednesday, when they turned where they have been prominent. Young out in force for the funeral which took as a mile runner and an expert in the out in force for the funeral which took place in the afternoon. Services were held in the Roman Catholic Cathedral, and the interment was in the Nuuanu cemetery. Collector Stackable granted leave to all employees of the customs house who wished to attend the services and consequently there were a few and consequently there were Young in a son of

Why Not Have Strong Nerves?

There is absolutely no way of reaching the nerves with medicine except through the blood. The nerves receive all of their nourishment and support from the blood which, under healthful conditions, carries the elements needed to rebuild wasted nerve tissue.

Let the blood become deranged and deficient in these elements and the nerves will be badly nourished and headaches, neuralgia, sciatica, functional paralysis and a host of other nervous troubles may result

There is, therefore, no mystery about the fact that Dr. Williams' Pink Pills for Pale People are both a blood builder and a nerve tonic, nothing unrecognized by science in the power of these pills to cure severe nervous disorders as well as diseases of the blood. DIVING FOR COAL Dr. Williams' Pink Pills are a specine for anaema, of delicities, of the blood. Hence they are a remedy for all nervous diseases which result from, or thrive under, anaemic conditions.

Mrs. Frances Clark, a dressmaker, of No. 1620-B Howard street, San Francisco, California, says: "I suffered for about three years with nervous debility. I was very nervous and during most of the three years I could not sleep well. a year ago, Sam Woods Aions, Hawaii. My stomach was quite bad and I was pale and somewhat run down. I was an, forty-six years of age was selzed not able to work steadily. A friend urged me to take Dr. Williams' Pink Pills with examps yesterday and died before for Pale People and upon doing so I felt much better from the start. I took reaching the bospital. An autopsy in the them for several weeks and gained ten pounds in weight and am able to work every day. I have recommended Dr. Williams' Pink Pills to many of my friends and always with good results."

The tonic treatment with Dr. Williams' Pink Pills by building up the blood so that it can nourish and strengthen the weakened nervous system has made hundreds of cures in the most severe nervous disorders. This record of cures should merit a trial for the remedy which is guaranteed free from opiates and is entirely harmless.

Dr. Williams' Pink Pills are

